

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

IN RE: ALEX O. OSUNDE #09-37018
VIOLET OSUNDE Chapter 13

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at US Bankruptcy Court, 800 Market St. Ste 330, Knoxville, TN 37902 an objection within thirty (30) days from the date this paper was filed and serve a copy on the Chapter 13 Trustee, PO Box 228, Knoxville, TN 37901 and the debtor(s)' attorney, Richard M. Mayer and/or John P. Newton, Attorney, 1111 Northshore Dr. S-570, Knoxville TN, 37919-. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

OBJECTION BY CHAPTER 13 TRUSTEE TO PROOF OF CLAIM
FILED BY CAPITAL ONE AUTO FINANCE

The Chapter 13 Trustee having received notice that the claim of CAPITAL ONE AUTO FINANCE filed on 01/26/2010 in the amount of \$17,367.83 has been paid in full; accordingly, the Chapter 13 Trustee moves for an Order disallowing this claim except to the extent already paid.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Objection, Notice and Proposed Order and hereby certifies that a true and exact copy of the same has been serviced by electronic mail and/or by first class United States mail postage prepaid on the following individuals as addressed below this 24th day of July 2014.

/s/ Gwendolyn M. Kerney (by ml w/perm)
GWENDOLYN M. KERNEY, #07280
Chapter 13 Trustee
PO Box 228
Knoxville, TN 37901
(865) 524-4995

ALEX O. OSUNDE/ VIOLET OSUNDE, DEBTOR(S)
2021 COUNTRYHILL LANE
KNOXVILLE, TN 37923 -

RICHARD M. MAYER AND/OR JOHN P. NEWTON
LAW OFFICES OF MAYER & NEWTON
1111 NORTHSHERE DR. S-570
KNOXVILLE, TN 37919-

UNITED STATES TRUSTEE
800 MARKET STREET SUITE 114
KNOXVILLE, TN 37902

CAPITAL ONE AUTO FINANCE
PO BOX 201347
ARLINGTON, TX 76006-

CAPITAL ONE AUTO FINANCE
3906 N. DALLAS PARKWAY
DALLAS, TX 75093

CAPITAL ONE AUTO FINANCE
C/O JOHN A. WALKER, JR., ATTY.
PO BOX 2774
KNOXVILLE, TN 37901

CAPITAL ONE AUTO FINANCE
7933 PRESTON ROAD
PLANO, TX 75024

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF TENNESSEE		PROOF OF CLAIM
Name of Debtor Alex O. Osunde	Case Number 09-37018-RS-13	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property) Capital One Auto Finance	<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.	
Name and address where notices should be sent: Capital One Auto Finance 3905 N. Dallas Parkway Plano, TX 75093 Telephone number: (817) 277-2011	Court Claim Number: (If known) Filed on: _____	
Name and address where payment should be sent (if different from above): Capital One Auto Finance, c/o Ascension Capital Group P.O. Box 201347 Arlington, TX 76006 Telephone number: (817) 277-2011	<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.	
1. Amount of Claim as of Date Case Filed: \$ 17,367.83 If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest charges.	5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(__).	
2. Basis for Claim: Car Loan (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: 0648/494181		
3a. Debtor may have scheduled account as: (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input checked="" type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: 2003 NISSAN Murano-V6 Utility 4D SL 2WD		
Value of Property: \$ 14,399.50 Annual Interest Rate: 12.60% Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ Basis for perfection: Contract and/or Title		
Amount of Secured Claim: \$ 14,399.50 Amount Unsecured: \$ 2,968.33		
Creditor reserves the right to amend its claim to seek an unsecured deficiency balance, if any, and will amend its claim after such liquidation.		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)		
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.		
If the documents are not available, explain:		
Date: 01/26/2010	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	
/s/ S. Blair Korschun		ecfnotices@ascensioncapitalgroup.com
FOR COURT USE ONLY		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

* Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to case commenced on or after the date of adjustment.



06/29/2014

Capital One Auto Finance
7933 Preston Road
Plano, TX 75024

Account #: 6206215080648
Vehicle: 03 NISSAN Murano
VIN: JN8AZ08T93W111760

GWENDOLYN M KERNEY
P. O. BOX 228
KNOXVILLE, TN 37901

JUL 07 2014
CHAPTER 13
TRUSTEE

Bankruptcy Case#: 09-37018
Client: ALEX O OSUNDE

Dear GWENDOLYN M KERNEY,

Please let this document serve as proof that the above-referenced claim has been paid in full. Please discontinue all future disbursements for this vehicle. Your cooperation will be appreciated.

If you have any questions please contact our customer service department at 1-866-333-1520, extension 271-6288, Monday through Friday, from 9:00 a.m. to 6:00 p.m. Eastern Time. Our Fax number is 1-866-722-6160.

Sincerely,
A handwritten signature in black ink, appearing to read "Regina Allen".
Regina Allen
Bankruptcy Specialist
Capital One Auto Finance

Capital One Auto Finance is a division of Capital One, National Association, and services the following Capital One affiliated company: Onyx Acceptance Corporation.